

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

JACOB D DODD
Claimant

APPEAL 22A-UI-08369-JC-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 02/13/22
Claimant: Appellant (1)**

Iowa Code § 96.4(3) – Ability to and Availability for Work
Iowa Admin. Code r. 871-24.22(2) – Able & Available – Benefits Eligibility Conditions
Iowa Admin. Code r. 871-24.2(1)(e) – Able & Available – Report as Directed by Department
Iowa Admin. Code r. 871-24.3(2) – Able & Available – Identity Verification

STATEMENT OF THE CASE:

The claimant/appellant, Jacob D. Dodd, filed an appeal from the March 16, 2022 (reference 03) Iowa Workforce Development (“IWD”) unemployment insurance decision that allowed benefits effective March 6, 2022 after claimant provided IWD requested documentation to verify his identity. After proper notice, a telephone hearing was conducted on May 17, 2022. Claimant participated personally. Official notice was taken of the administrative records.

ISSUES:

Did the claimant timely provide verification of his identity?
Did the claimant fail to report as directed by a department representative?

STATEMENT OF THE CASE:

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant initially opened his claim for unemployment insurance benefits effective February 13, 2022. Claimant was unable to verify his identity through the online verification process. Therefore, on his claim confirmation page, a notice appeared stating claimant was required to provide qualifying proof of his identity to the agency in order to prevent his benefits from being delayed and his claim from being canceled.

On February 17, 2022, IWD mailed claimant a letter also stating that if he was unable to provide proof of his identity by February 23, 2022, “benefits may be delayed and ... claim may be canceled.” Claimant was out of town with family until February 21, 2022. Claimant did not provide proof of his identity until on or about March 6, 2022.

REASONING AND CONCLUSIONS OF LAW:

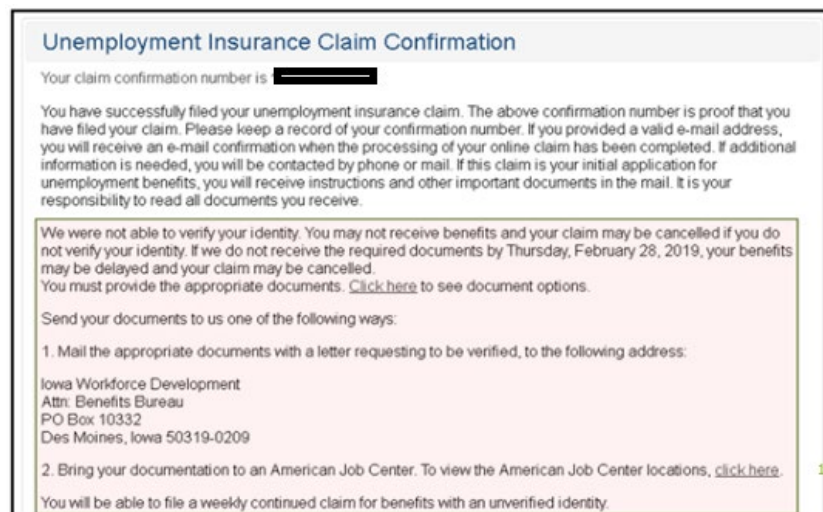
For the reasons that follow, the administrative law judge concludes claimant failed to provide timely verification of his identity.

Each week a claimant files a claim for benefits he must be able to and available for work. Iowa Code § 96.4(3). To maintain continued eligibility, a claimant shall report as directed by an authorized representative. Iowa Admin. Code r. 871-24.2(1)e. A claimant who fails to report as directed by notice mailed to the claimant is deemed unavailable for work. Iowa Admin. Code r. 87124.23(11).

Iowa Admin. Code r. 871-24.3(2) provides:

The claim will not become valid until the identity has been verified by the department...

When claimant failed to verify his identity while opening his claim, a message would have appeared with his claim confirmation number notifying him that his identity could not be verified and he needed to take additional action. Specifically, claimant should have seen something nearly identical to the following information:

The image is a screenshot of an email titled "Unemployment Insurance Claim Confirmation". The email body contains the following text: "Your claim confirmation number is [REDACTED]". It then states: "You have successfully filed your unemployment insurance claim. The above confirmation number is proof that you have filed your claim. Please keep a record of your confirmation number. If you provided a valid e-mail address, you will receive an e-mail confirmation when the processing of your online claim has been completed. If additional information is needed, you will be contacted by phone or mail. If this claim is your initial application for unemployment benefits, you will receive instructions and other important documents in the mail. It is your responsibility to read all documents you receive." A red-bordered box contains the following text: "We were not able to verify your identity. You may not receive benefits and your claim may be cancelled if you do not verify your identity. If we do not receive the required documents by Thursday, February 28, 2019, your benefits may be delayed and your claim may be cancelled. You must provide the appropriate documents. [Click here](#) to see document options." Below this box, it says "Send your documents to us one of the following ways:" followed by two numbered instructions. Instruction 1: "Mail the appropriate documents with a letter requesting to be verified, to the following address: Iowa Workforce Development, Attn: Benefits Bureau, PO Box 10332, Des Moines, Iowa 50319-0209". Instruction 2: "Bring your documentation to an American Job Center. To view the American Job Center locations, [click here](#)." At the bottom, it says "You will be able to file a weekly continued claim for benefits with an unverified identity." There is a small green number "13" in the bottom right corner of the red-bordered box.

The only difference between the graphic above and the message claimant would have received is that claimant would have had until February 23, 2022, to provide his required documents.

In this case, claimant received notification that he needed to provide verification of his identity by February 23, 2022 in order to prevent benefits from being delayed and/or his claim being canceled. Claimant did not provide the requested documentation until March 6, 2022.

The administrative law judge is sympathetic to the claimant but the credible evidence presented does not support that the claimant's failure to provide the required documentation in a timely manner was due to Agency error. The administrative law judge finds claimant was not available for work until March 6, 2022, when he provided the required identity verification documents to the agency.

Therefore, benefits are withheld from February 13, 2022 through March 5, 2022. Benefits are allowed effective March 6, 2022, provided claimant is otherwise eligible.

DECISION:

The March 16, 2022, (reference 03) unemployment insurance decision is affirmed. Claimant was not available for work for the period of February 13, 2022 through March 5, 2022, as he failed to provide verification of identity as required. Benefits are allowed effective March 6, 2022, provided claimant is otherwise eligible.



Jennifer L. Beckman
Administrative Law Judge
Unemployment Insurance Appeals Bureau
Iowa Workforce Development
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Des Moines, Iowa 50319-0209
Fax 515-478-3528

June 1, 2022
Decision Dated and Mailed

jlb/scn

NOTE TO CLAIMANT:

You may find additional information about food, housing, and other resources by dialing 211 or at:
<https://covidrecoveryiowa.org/>
<https://dhs.iowa.gov/node/3250>,
<https://www.211iowa.org/>

Substance Abuse and Mental Health Services Administration (SAMHSA):
<https://www.samhsa.gov/> or
Phone: 1-800-273-8255